

Senate Study Bill 1147

SENATE FILE _____
BY (PROPOSED COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT BILL BY
CO=CHAIRPERSONS BLACK and HOUSER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to deer population management and providing
2 penalties and appropriations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2270SC 81
5 av/sh/8

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1 1 Section 1. Section 170.1, subsection 4, Code 2005, is
1 2 amended to read as follows:
1 3 4. "Farm deer" means an animal belonging to the cervidae
1 4 family and classified as part of the dama species of the dama
1 5 genus, commonly referred to as fallow deer; part of the
1 6 elaphus species of the cervus genus, commonly referred to as
1 7 red deer or elk; part of the virginianus species of the
1 8 odocoileus genus, commonly referred to as whitetail; part of
1 9 the hemionus species of the odocoileus genus, commonly
1 10 referred to as mule deer; or part of the nippon species of the
1 11 cervus genus, commonly referred to as sika. However, a farm
1 12 deer does not include any unmarked free-ranging elk, whitetail
1 13 deer, or mule deer, or whitetail deer on hunting preserves
1 14 regulated under chapter 484B.
1 15 Sec. 2. Section 483A.1, subsection 2, paragraph c, Code
1 16 2005, is amended to read as follows:
1 17 c. Hunting license, eighteen years of age or older
1 18 \$ 80.00
1 19 100.00
1 20 Sec. 3. Section 483A.1, subsection 2, paragraphs f through
1 21 u, Code 2005, are amended to read as follows:
1 22 f. Deer hunting license, antlerless deer only, when purchased
1 23 with an antlered or any sex deer hunting license \$100.00
1 24 ~~f.~~ g. Deer hunting license, antlerless deer only \$150.00
1 25
1 26 ~~g.~~ h. Wild turkey hunting license \$100.00
1 27 ~~h.~~ i. Fur harvester license \$200.00
1 28 ~~i.~~ j. Fur dealer license \$501.00
1 29 ~~j.~~ k. Location permit for fur dealers \$ 56.00
1 30 ~~k.~~ l. Aquaculture unit license \$ 56.00
1 31 ~~l.~~ m. Retail bait dealer license \$125.00
1 32 or the amount for the same type of license in the
1 33 nonresident's state, whichever is greater
1 34 ~~m.~~ n. Trout fishing fee \$ 13.00
1 35 ~~n.~~ o. Game breeder license \$ 26.00
2 1 ~~o.~~ p. Taxidermy license \$ 26.00
2 2 ~~p.~~ q. Falconry license \$ 26.00
2 3 ~~q.~~ r. Wildlife habitat fee \$ 8.00
2 4 ~~r.~~ s. Migratory game bird fee \$ 8.00
2 5 ~~s.~~ t. Fishing license, three-day \$ 15.50
2 6 ~~t.~~ u. Wholesale bait dealer license \$250.00
2 7 or the amount for the same type of license in the
2 8 nonresident's state, whichever is greater
2 9 ~~u.~~ v. Fishing license, one-day \$ 8.50
2 10 Sec. 4. Section 483A.8, subsections 1, 3, and 6, Code
2 11 2005, are amended to read as follows:
2 12 1. A resident hunting deer who is required to have a
2 13 hunting license must have a resident hunting license in
2 14 addition to the deer hunting license and must pay the wildlife
2 15 habitat fee. In addition, a resident who purchases a deer
2 16 hunting license shall pay a one dollar fee that shall be used

2 17 and is appropriated for the purpose of assisting with the cost
2 18 of processing deer donated to the help us stop hunger program
2 19 administered by the commission.

2 20 3. a. A nonresident hunting deer is required to have a
2 21 nonresident hunting license and a nonresident deer license and
2 22 must pay the wildlife habitat fee. In addition, a nonresident
2 23 who purchases a deer hunting license shall pay a one dollar
2 24 fee that shall be used and is appropriated for the purpose of
2 25 assisting with the cost of processing deer donated to the help
2 26 us stop hunger program administered by the commission.

2 27 b. A nonresident who purchases an antlered or any sex deer
2 28 hunting license pursuant to section 483A.1, subsection 2,
2 29 paragraph "e", may also purchase an antlerless deer only deer
2 30 hunting license at the same time, pursuant to section 483A.1,
2 31 subsection 2, paragraph "f".

2 32 c. The commission shall annually limit to ~~eight~~ six
2 33 ~~thousand five hundred licenses~~ the number of nonresidents
2 34 allowed to have antlered or any sex deer hunting licenses. Of
2 35 the ~~first~~ six thousand nonresident antlered or any sex deer
3 1 licenses issued, not more than thirty-five percent of the
3 2 licenses shall be bow season licenses ~~and, after.~~ After the
3 3 ~~first~~ six thousand antlered or any sex nonresident deer
3 4 licenses have been issued, all additional licenses shall be
3 5 issued for antlerless deer only. The commission shall
3 6 annually determine the number of nonresident antlerless deer
3 7 only deer hunting licenses that will be available for
3 8 issuance.

3 9 d. The commission shall allocate the all nonresident deer
3 10 hunting licenses issued among the zones based on the
3 11 populations of deer. However, a nonresident applicant may
3 12 request one or more hunting zones, in order of preference, in
3 13 which the applicant wishes to hunt. If the request cannot be
3 14 fulfilled, the applicable fees shall be returned to the
3 15 applicant. A nonresident applying for a deer hunting license
3 16 must exhibit proof of having successfully completed a hunter
3 17 safety and ethics education program as provided in section
3 18 483A.27 or its equivalent as determined by the department
3 19 before the license is issued.

3 20 6. The commission shall provide by rule for the annual
3 21 issuance to a nonresident of a nonresident antlerless deer
3 22 hunting license that is valid for use only during the period
3 23 beginning on December 24, ~~2003,~~ and ending at sunset on
3 24 January 2, ~~2004~~ of the following year, and costs fifty
3 25 dollars. A nonresident hunting deer with a license issued
3 26 under this subsection shall be otherwise qualified to hunt
3 27 deer in this state and shall have a nonresident hunting
3 28 license, and pay the wildlife habitat fee, and pay the one
3 29 dollar fee for the help us stop hunger program as provided in

3 30 subsection 3. Pursuant to this subsection, the commission
3 31 shall make available for issuance only the remaining
3 32 nonresident antlerless deer hunting licenses allocated under
3 33 subsection 3 that have not yet been issued for the ~~2003--2004~~
3 34 current year's nonresident antlerless deer hunting seasons.

3 35 Sec. 5. NEW SECTION. 483A.8A DEER HARVEST REPORTING
4 1 SYSTEM.

4 2 1. The commission shall provide, by rule, for the
4 3 establishment of a deer harvest reporting system for the
4 4 purpose of collecting information from deer hunters concerning
4 5 the deer population in this state. Each person who is issued
4 6 a deer hunting license in this state shall report such
4 7 information pursuant to this section as is required by the
4 8 commission by rule.

4 9 2. A person who violates this section shall be assessed a
4 10 ten dollar surcharge before that person is issued another deer
4 11 hunting license.

4 12 Sec. 6. Section 483A.24, subsection 2, paragraph a,
4 13 subparagraph (2), Code 2005, is amended to read as follows:

4 14 (2) "Farm unit" means all parcels of land which are
4 15 certified by the commission pursuant to rule as meeting all of
4 16 the following requirements:

4 17 (a) Are in tracts of ten acres or more, not necessarily
4 18 contiguous.

4 19 (b) ~~which are~~ Are operated as a unit for agricultural
4 20 purposes ~~and which are.~~

4 21 (c) Are under the lawful control of the owner of record or
4 22 the tenant who is named in a lease.

4 23 The commission shall adopt rules establishing a procedure
4 24 for the certification of parcels of land as farm units for the
4 25 purposes of this subsection.

4 26 Sec. 7. Section 483A.24, subsection 2, Code 2005, is
4 27 amended by adding the following new paragraph:

4 28 NEW PARAGRAPH. c. Notwithstanding paragraph "b", upon
4 29 written application on forms furnished by the department, the
4 30 department shall issue annually without fee two deer hunting
4 31 licenses, one antlered or any sex deer hunting license and one
4 32 antlerless deer only deer hunting license, to the owner of a
4 33 farm unit or a member of the owner's family, but only two
4 34 licenses for both, and to the tenant of a farm unit or a
4 35 member of the tenant's family, but only two licenses for both.
5 1 The deer hunting licenses issued shall be valid only for use
5 2 on the farm unit for which the applicant applies pursuant to
5 3 this paragraph and shall be equivalent to the least
5 4 restrictive license issued under section 481A.38. The owner
5 5 or the tenant need not reside on the farm unit to qualify for
5 6 the free deer hunting licenses to hunt on that farm unit. The
5 7 free hunting licenses issued pursuant to this paragraph shall
5 8 be valid during all shotgun deer seasons and the licenses may
5 9 be used to harvest deer in two different seasons. In
5 10 addition, a person who receives a free deer hunting license
5 11 pursuant to this paragraph shall pay a one dollar fee that
5 12 shall be used and is appropriated for the purpose of assisting
5 13 with the cost of processing deer donated to the help us stop
5 14 hunger program administered by the commission.

5 15 Sec. 8. Section 483A.24, subsection 2, paragraphs c and d,
5 16 Code 2005, are amended to read as follows:

5 17 ~~c.~~ d. In addition to the free deer hunting ~~license~~
5 18 ~~licenses~~ received pursuant to paragraph "b" or "c", an owner
5 19 of a farm unit or a member of the owner's family and the
5 20 tenant or a member of the tenant's family may purchase a deer
5 21 hunting license for any option offered to paying deer hunting
5 22 licensees. An owner of a farm unit or a member of the owner's
5 23 family and the tenant or a member of the tenant's family may
5 24 also purchase two additional antlerless deer hunting licenses
5 25 which are valid only on the farm unit for a fee of ten dollars
5 26 each.

5 27 ~~d.~~ e. If the commission establishes a deer hunting season
5 28 to occur in the first quarter of a calendar year that is
5 29 separate from a deer hunting season that continues from the
5 30 last quarter of the preceding calendar year, each owner and
5 31 each tenant of a farm unit located within a zone where a deer
5 32 hunting season is established, upon application, shall be
5 33 issued a free deer hunting license for each of the two
5 34 calendar quarters. Each license is valid only for hunting on
5 35 the farm unit of the owner and tenant.

6 1 Sec. 9. NEW SECTION. 483A.24B SPECIAL DEER HUNTS.

6 2 1. The commission may establish special season deer hunts
6 3 for antlerless deer in those counties where deer population
6 4 management is necessary.

6 5 2. Antlerless deer may be taken by shotgun, muzzle loading
6 6 rifle, muzzle loading pistol, handgun, or bow during the
6 7 special season as provided by the commission by rule.

6 8 3. Prior to October 1, a person may obtain up to three
6 9 paid antlerless deer only deer hunting licenses for the
6 10 special season regardless of how many paid or free gun or bow
6 11 deer hunting licenses the person may have obtained. Beginning
6 12 October 1, a person may purchase an unlimited number of
6 13 antlerless deer only deer hunting licenses for the special
6 14 season.

6 15 4. All antlerless deer hunting licenses issued pursuant to
6 16 this section shall be included in the quotas established by
6 17 the commission by rule for each county and shall be available
6 18 in each county only until the quota established by the
6 19 commission for that county is filled.

6 20 5. The daily bag and possession limit during the special
6 21 season is one deer per license. The tagging requirements are
6 22 the same as for the regular gun season.

6 23 6. A person who receives a license pursuant to this
6 24 section shall be a resident or applicant qualified under
6 25 section 483A.24 and shall be otherwise qualified to hunt deer
6 26 in this state.

6 27 7. A person violating a provision of this section or a
6 28 rule adopted pursuant to this section is guilty of a simple
6 29 misdemeanor punishable as a scheduled violation as provided in
6 30 section 483A.42.

6 31 Sec. 10. NEW SECTION. 483A.24C DEER DEPREDATION
6 32 MANAGEMENT AGREEMENTS == PERMITS.

6 33 It is the intent of the general assembly that the
6 34 department shall administer and enforce the administrative
6 35 rules concerning deer depredation that are contained in 571
7 1 IAC chapter 106.

7 2 EXPLANATION

7 3 This bill contains various provisions relating to

7 4 management of the deer population in this state.
7 5 Code section 170.1 is amended to provide that whitetail
7 6 deer on hunting preserves are not "farm deer" that are subject
7 7 to regulation by the department of agriculture and land
7 8 stewardship but are instead subject to regulation by the
7 9 department of natural resources.
7 10 Code section 483A.1 is amended to change the fee for a
7 11 nonresident adult hunting license from \$80 to \$100 and to
7 12 provide for the purchase of a nonresident antlerless deer only
7 13 hunting license for \$100 when purchased with a nonresident
7 14 antlered or any sex deer hunting license.
7 15 Code section 483A.8, subsections 1 and 3, are amended to
7 16 provide that a resident or a nonresident who purchases a deer
7 17 hunting license must pay a one dollar fee that shall be used
7 18 and is appropriated for the purpose of assisting with the cost
7 19 of processing deer donated to the help us stop hunger program
7 20 administered by the natural resource commission.
7 21 Code section 483A.8, subsection 3, is also amended to
7 22 provide that a nonresident who purchases an antlered or any
7 23 sex deer hunting license pursuant to Code section 483A.1,
7 24 subsection 2, may also purchase an antlerless deer only deer
7 25 hunting license at the same time for \$100.
7 26 Code section 483A.8, subsection 3, is amended to provide
7 27 that the commission is limited to issuing 6,000 nonresident
7 28 antlered or any sex deer hunting licenses per year and that
7 29 after those licenses have been issued any additional licenses
7 30 issued shall be for antlerless deer only. The bill also
7 31 provides that the commission shall determine how many
7 32 antlerless deer only deer hunting licenses will be available
7 33 for issuance each year. The bill also provides that all
7 34 nonresident deer hunting licenses issued shall be allocated by
7 35 the commission among zones based on the populations of deer.
8 1 Code section 483A.8, subsection 6, is amended to allow the
8 2 commission to continue to provide by rule for the issuance of
8 3 nonresident deer hunting licenses for use only during the
8 4 period beginning on December 24 of each year and ending on
8 5 January 2 of the following year. The bill also provides that
8 6 a person who obtains such a license is required to pay the one
8 7 dollar fee for the help us stop hunger program as provided in
8 8 Code section 483A.8, subsection 3, as amended in the bill.
8 9 The bill contains new Code section 483A.8A which requires
8 10 the commission to establish, by rule, a deer harvest reporting
8 11 system for the purpose of collecting information from deer
8 12 hunters concerning the deer population in the state. Each
8 13 person who is issued a deer hunting license in this state is
8 14 required to report such information as the commission
8 15 requires. A person who violates the new Code section shall be
8 16 assessed a \$10 surcharge before that person is issued another
8 17 deer hunting license.
8 18 Code section 483A.24 is amended by changing the definition
8 19 of "farm unit" by requiring that parcels of land must be
8 20 certified by the commission, pursuant to rules establishing a
8 21 certification process, to be in tracts of 10 acres or more,
8 22 not necessarily contiguous, which are operated as a unit for
8 23 agricultural purposes and are under the lawful control of the
8 24 owner of record or the tenant who is named in a lease. The
8 25 commission is required to adopt rules establishing a
8 26 certification process.
8 27 Code section 483A.24 is also amended to provide that upon
8 28 written application, the department shall issue annually
8 29 without fee one antlered or any sex deer hunting license and
8 30 one antlerless deer only deer hunting license to the owner of
8 31 a farm unit or a member of the owner's family, but only two
8 32 licenses for both, and to the tenant of a farm unit or a
8 33 member of the tenant's family, but only two licenses for both.
8 34 A person who receives a free deer hunting license pursuant to
8 35 this provision is required to pay a one dollar fee for the
9 1 purpose of assisting with the cost of processing deer donated
9 2 to the help us stop hunger program.
9 3 The bill adds new Code section 483A.24B allowing the
9 4 commission to establish special season deer hunts for
9 5 antlerless deer in those counties where deer population
9 6 management is necessary. Prior to October 1, a person may
9 7 obtain up to three paid antlerless deer only deer hunting
9 8 licenses regardless of how many paid or free deer hunting
9 9 licenses the person has obtained. After October 1, a person
9 10 may purchase an unlimited number of antlerless deer only deer
9 11 hunting licenses for the special season. Licenses issued for
9 12 the special season are included in the quotas established by
9 13 the commission for each county and are available in each
9 14 county only until the quota for that county is filled. A

9 15 person who receives a license for the special season must be a
9 16 resident or an applicant qualified under Code section 483A.24
9 17 and be otherwise qualified to hunt deer in this state. A
9 18 person who violates this section is guilty of a simple
9 19 misdemeanor punishable as a scheduled violation with a fine of
9 20 \$100.
9 21 The bill also adds new Code section 483A.24C providing that
9 22 it is the intent of the general assembly that the department
9 23 of natural resources shall administer and enforce the
9 24 administrative rules concerning deer depredation that are
9 25 contained in 571 IAC chapter 106.
9 26 LSB 2270SC 81
9 27 av:nh/sh/8